

# AGENDA

## RILEY COUNTY PLANNING BOARD

Monday, April 11, 2005  
7:30 p.m.

Commission Meeting Room  
Courthouse Plaza East

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1. Consider the minutes of the March 14, 2005 meeting.
  2. Consider the Report of Fees for the month of March 2005.
  3. Public Hearing at the request of Roy W. and Pat A. Reasoner, petitioners, and owners, to **rezone** a tract of land from Zone G-1 (General Agricultural) and D-3 (Heavy Industrial) to Zone R-PUD (Residential Planned Unit Development).

**ACTION NEEDED: Recommend approval/denial to the Board of County Commissioners.**

4. Public Hearing at the request of Roy W. and Pat A. Reasoner, petitioners, and, owners, to **plat** a tract of land in Wildcat Township, Section 36, Township 9 South, Range 6 East in Riley County, Kansas, into two (2) residential lots.

**ACTION NEEDED: Approve/Deny the plat.**

5. Take from the table the Public Hearing to consider an **amendment** to the Riley County Subdivision Regulations regarding private roads.
6. Update on Joint Land Use Study (JLUS).
7. Update on the Comprehensive Plan Update.



# PLANNING & DEVELOPMENT

## STAFF REPORT

### Rezoning and Platting

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**PETITION:** (#05-01) Rezone from "G-1" (General Agricultural) to "R-PUD"  
(Residential Planned Unit Development)  
(#05-02) Rezone from "D-3" (Heavy Industrial) to "R-PUD"  
(Residential Planned Unit Development)  
(#05-03) Plat

**APPLICANT:** Ray W. and Pat A. Reasoner  
2955 Keats Avenue  
Manhattan, KS 66503

**PROPERTY OWNER:** Ray W. and Pat A. Reasoner  
2955 Keats Avenue  
Manhattan, KS 66503

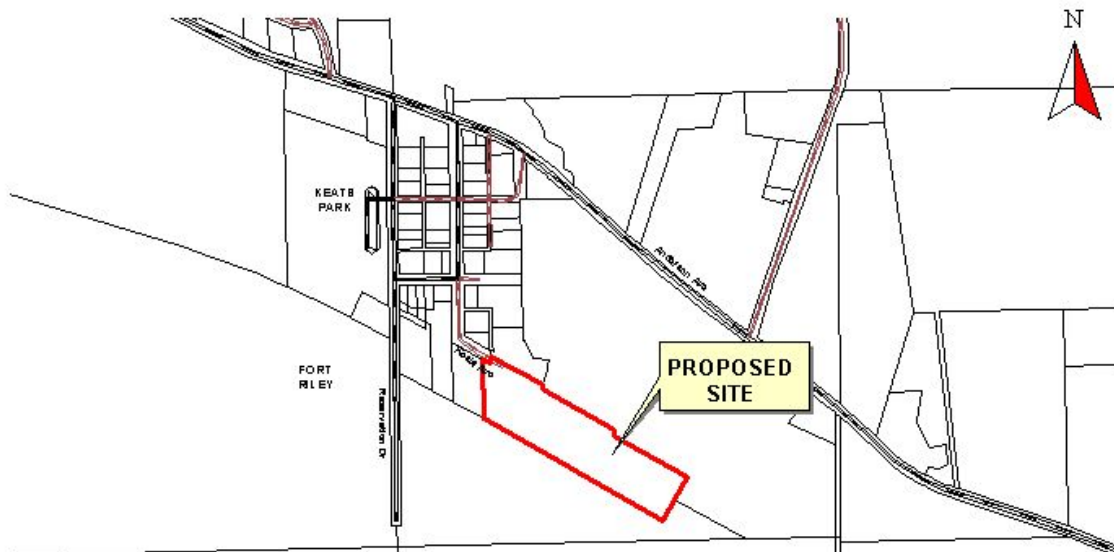
**TYPE OF REQUEST:** Rezone a tract of land from "G-1" (General Agricultural) and "D-3" (Heavy Industrial) to "R-PUD" (Residential Planned Unit Development) and plat the tract into two (2) residential lots.

**SIZE OF TRACT:** The subject site is approximately 9.78 acres.

**LOCATION:** Generally located south and east of Keats Avenue, on the south side of North Railroad Street (in Keats); Section 36, Township 9 South, Range 6 East; Wildcat Township.

**JURISDICTION:** This application is subject to the requirements of the Riley County Subdivision Regulations.

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**BACKGROUND:** The subject property consists of portions of abandoned Rock Island and Pacific railroad right-of-way and portions of vacated North Railroad Street. In 1978, the north half of the subject property was rezoned (#78-44) from “G-1” (General Agricultural) to “D-3” (Heavy Industrial) to permit the manufacturing, sale and distribution of prefabricated homes. The site was never developed for the proposed use and is now developed with a single family residence. The Applicant wishes to maximize the use of the 9.78 tract by subdividing a 1.4-acre portion for the construction of a house, and utilize the remaining tract for a mix of uses such as residential, antique farm machinery refurbishing, a machine shop, a guest cottage and horses.

### **DESCRIPTION:**

Physical site characteristics: The northwest portion of the tract is currently developed with a single family residence, while the remainder of the tract consists of open space that borders cropland to the south. The subject property is relatively flat with drainage to the southeast. It was determined via survey that only a small portion of the site lies within the designated 100-year floodplain, as shown on the preliminary plan and Final Plat. The proposed R-PUD contains a note restricting any development from occurring within the designated 100-year floodplain. The site consists entirely of prime agricultural soils.

General character of the area: The subject property is the southeastern-most, residentially used property of the unincorporated townsite of Keats. The character of the surrounding area is residential (urban density) to the northwest, and various agricultural uses to the north, south and east.

### **SUITABILITY OF ZONING:**

Current zoning: The property consists of two separate zoning districts. The north half of the site is zoned “D-3” (Heavy Industrial) while the south half of the property is zoned “G-1” (General Agricultural).

Proposed zoning: As mentioned previously, the Applicant wishes to eliminate the current zoning classifications of the site in favor of an “R-PUD” (Residential Planned Unit Development) zoning district. With the proposed zoning district, the Applicant will be able to blend different types of land uses deemed compatible with each other as well as the surrounding land uses.

<b>SURROUNDING ZONING/LAND USE</b>		
	<b>ADJACENT ZONING</b>	<b>LAND USE</b>
<b>NORTH</b>	“G-1” (General Agricultural)	Residential and cattle ranch
<b>SOUTH</b>	“G-1” (General Agricultural)	Cropland
<b>EAST</b>	“G-1” (General Agricultural)	Cropland/open space
<b>WEST</b>	“A-1” (Single Family Residential)	Residential

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**POTENTIAL IMPACT:****Public facilities and services:**

Streets and bridges: The subject site currently has access to North Railroad Street, a two-lane, unimproved township road. The Applicant is proposing to construct and dedicate a cul-de-sac turnaround at the northwestern corner of the subject site where North Railroad Street currently dead-ends. It is not anticipated that platting and rezoning the subject property will have a substantial increase on current traffic volumes.

Water and sewer: The Applicant is proposing that each of the two (2) residential lots will be served by individual septic systems and wells.

Fire: Riley County Fire District #1 will serve the site. The nearest County Fire Station is located at 3141 W. 69<sup>th</sup> Avenue, in Keats.

Effect on public facilities and services: The proposed cul-de-sac must be designed and constructed to County specifications. Furthermore, it must be inspected prior to the recording of the Final Plat. Once constructed and if accepted, Wildcat Township would assume the maintenance responsibilities of the cul-de-sac treatment.

**CONFORMANCE TO THE LAND USE PLAN:**

According to the future land use map of the 1988 Urban Area Comprehensive Plan, the subject property is located in Corridor #1. Although the majority of the text for this area focuses on development along Anderson Avenue from Manhattan to Keats, the map projects the subject area, along with the majority of Keats, to be urban residential.

Staff analysis: According to the Comprehensive Plan, this area is projected for residential development, therefore, the platting and rezoning proposed by the applicant conforms to the Plan. Due to the existing character of surrounding development, it is not anticipated that rezoning the subject property will cause conflicts between agricultural and urban land uses.

**COMMENTS AND CONCERNS:**

HEALTH DEPARTMENT: The request has been reviewed by the Health Department staff and they have stated that, due to the minimum lot size of 1.4 acres, a soil percolation test must be performed for proposed Lot 1. Proposed Lot 2 has an existing legal septic system installed. The Applicant has applied for the testing of proposed Lot 1, but the testing has not occurred due to seasonal delays.

RILEY COUNTY CONSERVATION DISTRICT: The requests to rezone and plat the property were reviewed by Riley County Conservation District staff. He had questions and concerns regarding how much of the subject site was located in the 100-year floodplain and recommended caution in any development in flood related areas. He also mentioned that the site consisted of prime agricultural soils and conveyed the concern of premature or inappropriate development of agricultural lands.

COUNTY ENGINEER: The County Engineer has reviewed the plat and stated that the Applicant needs to construct the cul-de-sac in such a manner that will allow a firetruck to travel around such and the appropriate type of rock and depth will be required before the Public Works Department will sign off on such.

FORT RILEY: According to the Directorate of Environment and Safety, Department of the Army, the subject site is located within an area where noise generated by Fort Riley's military activities, at times, may be perceptible to persons located on the property. However, the proposed use of the property and noise from Fort Riley activities that is perceptible at the location are generally considered compatible.

**STAFF RECOMMENDATIONS:** Staff recommends that the Planning Board forward a recommendation of approval of the request to rezone the proposed property to the Board of County Commissioners, based on the following findings:

- The permitted uses shown on the R-PUD are compatible with those of surrounding properties;
- Although some prime agricultural soil will be affected, the site is not currently being used for agricultural production and portions of the site are already developed with residential structures.
- The subject site is in an area that has nearby residential zoning districts and residential development;
- Conforms to the 1988 Urban Area Comprehensive Plan;
- Applicant is taking measures to improved fire protection of area by providing a cul-de-sac treatment in a location where only a dead-end street exists.

Staff also recommends approval of the request to plat the proposed property, as it has been determined that all requirements of the Riley County Subdivision Regulations, Zoning Regulations and Sanitary Code have been met.

## **POSSIBLE MOTION(S)**

ACTION NEEDED FOR REZONING (“D-3” Heavy Industrial):

A. Move to approve the request to rezone the subject property from “D-3” (Heavy Industrial) to “R-PUD” (Residential Planned Unit Development) for the following reasons:

- ☐ The rezoning is compatible with the character of the neighborhood.
- ☐ The rezoning is compatible with the zoning and uses of properties nearby.
- ☐ The subject property is not suitable for the uses allowed by the current zoning.
- ☐ Removal of the current restrictions by rezoning will not detrimentally affect nearby property.
- ☐ The subject property has remained vacant as zoned for a substantial time period.
- ☐ The gain to the public health, safety and welfare by denying rezoning is not as great as the hardship imposed upon the individual landowner.
- ☐ The rezoning is consistent with the recommendations of permanent or professional staff.
- ☐ The rezoning conforms to the adopted comprehensive plan.
- ☐ The rezoning will not detrimentally affect the conservation of the natural resources of the County.

- ☐ The rezoning will result in the efficient expenditure of public funds.
- ☐ The rezoning will promote the health, safety, convenience, prosperity and general welfare of the inhabitants of the County.

**Or**

B. Move to deny the request to rezone the subject property for the following reasons:

- ☐ The rezoning is incompatible with the character of the neighborhood.
- ☐ The rezoning is incompatible with the zoning and uses of properties nearby.
- ☐ The subject property is not suitable for the uses allowed by the proposed zoning.
- ☐ Removal of the current restrictions by rezoning will detrimentally affect nearby property.
- ☐ The subject property is developed or utilized as zoned for a substantial time period.
- ☐ The gain to the public health, safety and welfare by denying rezoning is greater than the hardship imposed upon the individual landowner.
- ☐ The rezoning is inconsistent with the recommendations of permanent or professional staff.
- ☐ The rezoning does not conform to the adopted comprehensive plan.
- ☐ The rezoning may detrimentally affect the conservation of the natural resources of the County.
- ☐ The rezoning will result in the inefficient expenditure of public funds.
- ☐ The rezoning will diminish the health, safety, convenience, prosperity and general welfare of the inhabitants of the County.

### **POSSIBLE MOTION(S)**

ACTION NEEDED FOR REZONING (“G-1” General Agricultural):

C. Move to approve the request to rezone the subject property from “G-1” (General Agricultural) to “R-PUD” (Residential Planned Unit Development) for the following reasons:

- ☐ The rezoning is compatible with the character of the neighborhood.
- ☐ The rezoning is compatible with the zoning and uses of properties nearby.
- ☐ The subject property is not suitable for the uses allowed by the current zoning.
- ☐ Removal of the current restrictions by rezoning will not detrimentally affect nearby property.
- ☐ The subject property has remained vacant as zoned for a substantial time period.
- ☐ The gain to the public health, safety and welfare by denying rezoning is not as great as the hardship imposed upon the individual landowner.
- ☐ The rezoning is consistent with the recommendations of permanent or professional staff.
- ☐ The rezoning conforms to the adopted comprehensive plan.
- ☐ The rezoning will not detrimentally affect the conservation of the natural resources of the County.
- ☐ The rezoning will result in the efficient expenditure of public funds.
- ☐ The rezoning will promote the health, safety, convenience, prosperity and general welfare of the inhabitants of the County.

**Or**

D. Move to deny the request to rezone the subject property for the following reasons:

- ❑ The rezoning is incompatible with the character of the neighborhood.
- ❑ The rezoning is incompatible with the zoning and uses of properties nearby.
- ❑ The subject property is not suitable for the uses allowed by the proposed zoning.
- ❑ Removal of the current restrictions by rezoning will detrimentally affect nearby property.
- ❑ The subject property is developed or utilized as zoned for a substantial time period.
- ❑ The gain to the public health, safety and welfare by denying rezoning is greater than the hardship imposed upon the individual landowner.
- ❑ The rezoning is inconsistent with the recommendations of permanent or professional staff.
- ❑ The rezoning does not conform to the adopted comprehensive plan.
- ❑ The rezoning may detrimentally affect the conservation of the natural resources of the County.
- ❑ The rezoning will result in the inefficient expenditure of public funds.
- ❑ The rezoning will diminish the health, safety, convenience, prosperity and general welfare of the inhabitants of the County.

**ACTION NEEDED FOR PLAT:**

A. Motion to approve the request to plat the subject property into two (2) lots, as it has been determined that it meets the requirements of the Riley County Subdivision Regulations.

Or

B. Motion to deny the request to plat the subject property into two (2) lots, as it has been determined that it does not meet the requirements of the Riley County Subdivision Regulations.

**ATTACHMENTS:**

- Vicinity/site map
- Surrounding zoning map
- Soils map
- Plat map

Prepared by: Bob Isaac, Planner  
March 29, 2005





## VICINITY & SITE

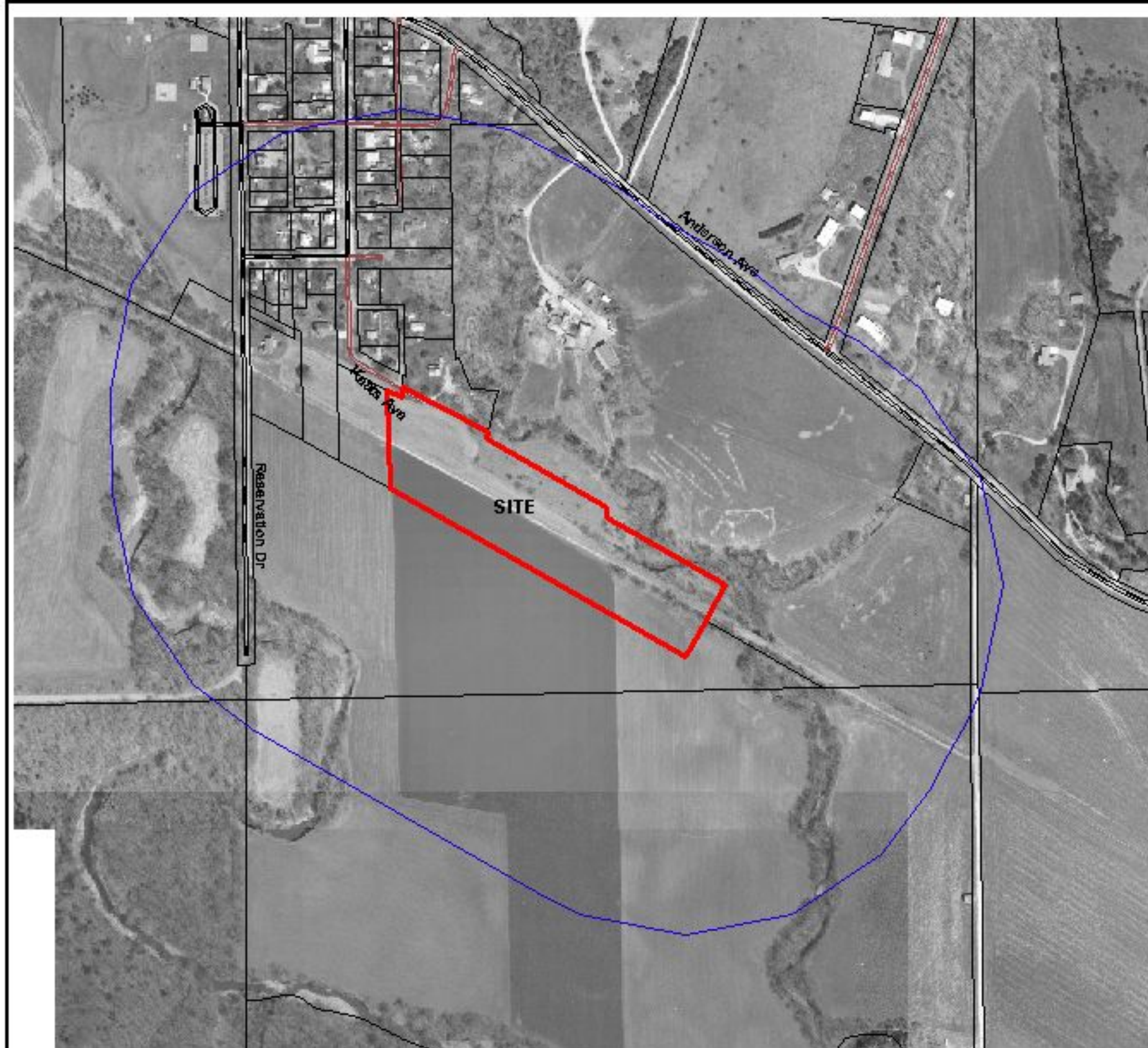
Reasoner

#05-01 Rezone  
G-1 to R-PUD

#05-02 Rezone  
D-3 to R-PUD

#05-03 Plat  
Reasoner Addition

36-9-6







Created by Shelly Taylor

## SITE AND SURROUNDING AREA

Reasoner

#05-01 Rezone  
G-1 to R-PUD

#05-02 Rezone  
D-3 to R-PUD

#05-03 Plat  
Reasoner Addition

36-9-6







Created by Shelly Taylor

## SOILS

Reasoner


#05-01 Rezone  
G-1 to R-PUD


#05-02 Rezone  
D-3 to R-PUD

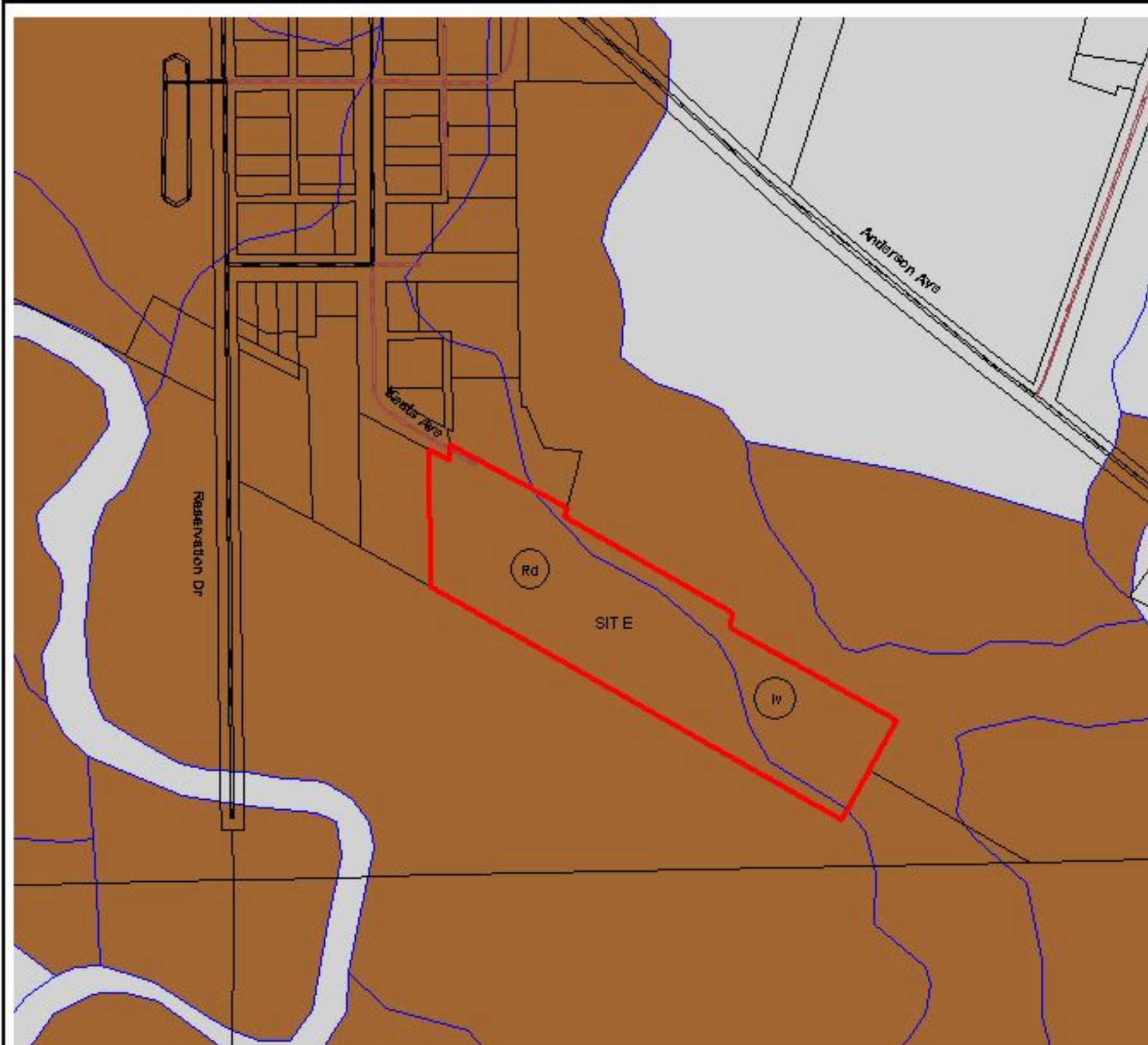
#05-03 Plat  
Reasoner Addition

36-9-6

Prime Soils - NRCS

 NRCS - Not Prime

 NRCS - Prime







# SHINER HABITAT & FLOODPLAIN


Reasoner

#05-01 Rezone  
G-1 to R-PUD





#05-02 Rezone  
D-3 to R-PUD

#05-03 Plat  
Reasoner Addition

36-9-6

 Shiner Habitat

Floodplain

-  100 Year Floodplain (Unimbered)
-  100 Year Floodplain (Numbered)
-  100 Year Floodplain (1' - 3' Depth)
-  500 Year Floodplain
-  Floodway







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## FORT RILEY BUFFER

Reasoner

#05-01 Rezone  
G-1 to R-PUD

#05-02 Rezone  
D-3 to R-PUD

#05-03 Plat  
Reasoner Addition

36-9-6

Noise Level

